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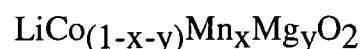
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**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Original) A cathode active material for a non-aqueous electrolyte secondary cell, having a c-axis length of lattice constant of 14.080 to 14.160 Å, an average particle size of 0.1 to 5.0 μm, and a composition represented by the formula:



wherein x is a number of 0.008 to 0.18; and y is a number of 0 to 0.18.

2. (Original) A cathode active material according to claim 1, which has an a-axis length of lattice constant of 2.81 to 2.83 Å.

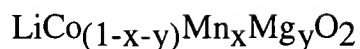
3. (Original) A cathode active material according to claim 1, which has a BET specific surface area of 0.1 to 2.5 m<sup>2</sup>/g and a crystallite size of 400 to 1,200 Å.

4. (Currently Amended) A cathode active material according to claim 1, wherein ~~the manganese content~~ y is 0.01 to 0.15.

5. Canceled.

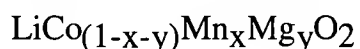
6. Canceled.

7. (Currently Amended) A cathode active material for a non-aqueous electrolyte secondary cell ~~produced by the process as defined in claim 5,~~ having a c-axis length of lattice constant of 14.080 to 14.160 Å, an average particle size of 0.1 to 5.0 μm, and a composition represented by the formula:



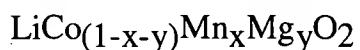
wherein x is a number of 0.008 to 0.18; and y is a number of 0 to 0.18.

8. (Original) A cathode active material for a non-aqueous electrolyte secondary cell, having a c-axis length of lattice constant of 14.080 to 14.160 Å, an a-axis length of lattice constant of 2.81 to 2.83 Å, a crystallite size of 400 to 1,200 Å, an average particle size of 0.1 to 5.0 μm, and a composition represented by the formula:



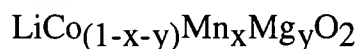
wherein x is a number of 0.008 to 0.18; and y is a number of 0 to 0.18.

9. (Original) A cathode active material for a non-aqueous electrolyte secondary cell, having a c-axis length of lattice constant of 14.080 to 14.160 Å, an a-axis length of lattice constant of 2.81 to 2.83 Å, a crystallite size of 400 to 1,200 Å, an average particle size of 0.1 to 5.0 μm, and a composition represented by the formula:



wherein x is a number of 0.008 to 0.18; and y is a number of 0.010 to 0.15.

10. (Original) A non-aqueous electrolyte secondary cell comprising a lithium ion conductive electrolyte and a pair of electrodes separated by means of a separator, wherein at least one of said electrodes comprises a cathode active material having a c-axis length of lattice constant of 14.080 to 14.160 Å, an average particle size of 0.1 to 5.0 μm, and a composition represented by the formula:



wherein x is a number of 0.008 to 0.18; and y is a number of 0 to 0.18.